

Minutes

December 3, 2008
Wisconsin Department of Commerce
201 W. Washington Ave.
Madison, WI 53703
Conference Room 6A
9:30 A.M.-1:30 P.M.

Members Present: Mike Simpson, Jeanne Whitish, Jerry Jones, Dan Martino Jr., Steve Aldridge, Renee Lesjak Bashel, Jean Beckwith, Tom Coogan

Absent: Mark McDermid, Carl Komassa

Presenters: Mark Friedlander (DNR), Jeffrey Voltz (DNR), John Melby (DNR Air Program Bureau Director)

Updates

Tom Coogan announced invited guest Jim O'Keefe –Commerce Business Development Division Administrator will not be able to attend due to a scheduling conflict.

Tom asked the group to review the Wisconsin Small Business Environmental Council (SBEC) 2007- 2008 Activity Report Summary handout, specifically the 'How Are We Helping?' section. Suggestions were:

- Outreach to Municipalities like the Zoning Department and the Chamber of Commerce
- Get people to the right channels with Commerce and DNR

Legislative updates

- Everyone received a copy of The Wheeler Report (www.thewheelerreport.com) which contains a listing of the new leadership elected to office. This is a good resource for those who would like to keep up on governmental issues and is available on-line.
- Diesel Idling Reduction Grant Program – some of the funding will probably be lapsed for the Fiscal Year 2009. The program currently has funding thru 2011 although this could change as the Governor has asked all agencies to reduce spending by 2.5%. **Update: Commerce has awarded \$1.2 million in grants for 2008.**
- Wisconsin Energy Independence Fund (WEIF) was awarded \$10 million to make Wisconsin a leader in renewable energy. This program supports cutting-edge research and development, manufacture and production of clean energy products. This program has awarded \$8.5 million in grants, and will likely be asked to lapse some funding as well.

Agency Update

- The Bureau Directors position held by Pam Christenson will remain vacant. Community Development and Business Development will now be under one Administrator - Jim O'Keefe.
- All vacancies are frozen, including the Small Business Ombudsman (SBO) position vacated by Carol Dunn, who is now the Women-Owned Business (WBE) contact and the Program Assistant position vacated by Aldeen Fjelstad.
- Still looking for a Commerce Representative for the council

- Will try to get Secretary Leinenkugel to attend the next meeting

Mike Friedlander (DNR) Indirect Source Permit Program

Permits are required by facilities that will have a large concentration of air pollution in one area (significant traffic generators) such as distribution centers. The DNR looks at a number of factors in determining if a permit needs to be issued:

- 1,000 parking spaces or parking space equivalency of 350,000 square feet in a metropolitan county or 1,500 parking spaces in rural areas (based on an 8 hour analysis)
- Carbon Monoxide 'hotspot' analysis performed on adjacent intersections
- Screening level analysis for capacity expansion road projects

The DNR is proposing to restructure the permit process, to include the following:

- No idle time limit (i.e. 5 minutes per hour) ordinance
- Eliminates need for applicants to use modeling consultants
- Issue permit within 15 days (used to be 3-4 months)
- Streamline the permit process
- Reduces fees

Draft rule to be proposed to the Board at the end of the month. The reaction from the business community has been positive. Businesses want to comply and want to do right by the environment. DNR wants to be cooperative, not rigid.

John Melby (DNR Air Program Bureau Director)

John gave an overview of his experience and his vision for the Air Program. He has 32 years of experience as an advocate for the environment. One of his goals is to look at making permits readable, more understandable using clear, transparent language and the ability to create general permits that are less complicated. The economy and environment can co-exist. Partnering is very important.

What's in store? Electronic signatures, hope for direction from the Governor in his State of the State address on Greenhouse Gas regulations, reasonability within government.

Council comments: Templates are great – show us what we have to do. One of the council members mentioned that his experience working with the air program has been productive. There used to be a fear of working with the DNR, thinking “they’ll tell me I can’t do something;” but the DNR staff have approached him in a reasonable manner.

Action:

Suggested Larry Bruss talk on the Ozone/Particulate Matter update regarding non-attainment counties. December 18, 2008 is the expected announcement regarding counties impacted by latest data.

Bureau Update (DNR): Jeffrey Voltz

DNR is responsible for overseeing GreenTier. The statute is set to expire in July 2009. DNR and a balance group of participants are going to look at reauthorization. Highlights of Jeffrey's comments include:

- Repeal of sunset date –make the committee permanent or set another 'check-in' date
- Fine tune statutes, ISO 14000, update statute to the 2004 environmental standards
- Expansion of GreenTier

- Anticipate ways to make improvements
- Gauge the interest of business
- Be more accommodating
- More discretion
- Allow MG&E and WE Energies to transition into Greentier with the same procedures

Right now there are 30-35 participants and 4 charters signed on. The goal is to get 100 companies involved, especially in SE Wisconsin. Since GreenTier Legislation is up for renewal, Mark McDermid and Mike Simpson could provide some suggestions on streamlining the process. Mike S. explained there is a meeting already set up by a committee to discuss making the monitoring more meaningful.

Action:

- Potentially partner with the UW – Extension
- Senator Miller is Chair of the Senate Committee on Environment. Try to come up with a committee to discuss GreenTier. Stakeholders will convene at the capitol soon.

Jeffrey Voltz -DNR Budget Update:

Dept of Administration has asked the agency to lapse 10% in all programs within the department as a down payment – deeper cuts to come.

The Energy Independence Community - Secretary Frank (DNR) and Mark McDermid are in Ashland today to meet with statewide economic development organizations to discuss aligning all involved to be proactive in discussions of bio-fuels and renewable energy discussions. So far 35 committees have signed on. More to come.

Travel Green Wisconsin – a program designed to protect the beauty and vitality of Wisconsin - Dept of Tourism, the Wisconsin Environmental Initiative, and 185 other participants has partnered with the DNR in a listing which evaluates how ‘green’ each business is.

Renee Bashel – (Commerce) National Steering Committee (NSC) Update/Region V Area Source Project (auto body refinishing) and DHFS/DNR - Website Rules Update (Printer rule), Regulatory Alert – Proposed Rule

The US Small Business Administration (SBA) is looking for federal rules affecting small business that need review/reform. A new rule affecting metal source fabrication and finishing is being included in this year’s nomination. The recommendations will suggest EPA needs to incorporate all comments received in the public comment period. EPA failed to do this. We have until December 31 to make suggestions on rules for change.

In December 2008 and June 2009 EPA will be coming out with additional regulations.

Annette Fulgenzi (NSC-Chair) and Renee (NSC Vice-Chair) attended a Small Business Development Center Conference in Chicago in an effort to get the word out about available programs for small business.

Region V SBEAPs in six states worked together with EPA Region V to develop a program intended to achieve more compliance assistance and less enforcement – using an Environmental Results Program (ERP) across the six states. The plan is to do small business assistance program site visits to get baseline information – free compliance assistance visits -- followed by training and workshops, and ending with enforcement inspections conducted by Region V EPA. At the end we will measure all the data. Will try to get help with data management/analysis thru the State Innovation Grant – it may not be as detailed, but it can be done without additional \$. The grant is due December 10, 2008.

The handout on the Proposed Air Pollution Control Rules contains the list of rules that are being developed by the Bureau of Air Management. It includes ozone redesignation and control technique guidelines. Printing rules came as a surprise to many that it affected. This is a good tool to keep informed. (Regulatory Alert)

Jean Beckwith – (Commerce) Diesel Truck Idling Reduction Grant Program

Update of the 2008 Diesel Idling Reduction Grant Program. Purpose of the program is to provide grants to freight motor carriers for the purchase and installation of idling reduction units for diesel truck tractors to reduce emissions and save on fuel costs.

2008: Budget of \$2 million – reimbursement of up to 50% of the average cost of the unit and installation. Keeping our deadline open to apply from July 01- Aug 01, 2008

- 166 eligible applications were received by Aug. 1 deadline
- Awards: 132 Small fleets (136 units) 34 Large fleets (147 units) = 283 units
- After extending our deadline to December 01, we have received an additional 55 apps.
- Yet to be determined if they will be awarded
- A total amount spent this year would be \$1.3 million if all applications are reimbursed
- Potentially lapse funding into the general fund

We are unable to spend about half of the funds at this time. We do not have enough applications to fund. Reasons:

- Many small and mediums size companies have maxed out because of the new ‘cumulative maximum’ language which basically caps the number of units each motor carrier can apply for. Originally the program allowed motor carriers the ability to come back to the program each year based on the number of eligible trucks in their fleet. New language now caps the number of units each company can apply for the life of the program. The language benefits only the largest motor carriers.
- Economy – companies are stretched to the limit with fuel costs, personal expenses. Change the cumulative max language to allow those companies that would like to participate each year to apply
- Working on creating the database for all the reports and working with DNR staff.

Tom Coogan (Commerce) Gas Dispensing Compliance Calendar/Retrofit Grant/Truck Size & Weight Study

Tom is working on a Gas Dispensing Facility Compliance Calendar. It is currently in development and will include all the new rule requirements. He has been working with the DNR, the Tanks Division (in Commerce), meeting with inspectors, and with the Petroleum Marketers Association representative –Pam Christenson. Pam plans on distributing the calendars and providing training on how to use them. They hope to be finished by February 09.

The Diesel Exhaust Retrofit Grant program update funded by the EPA at \$50,000 is designed to help fleets purchase and install California Air Resources Board (CARB) and/or EPA verified diesel exhaust retrofit technologies (diesel oxidation catalysts, diesel particulate filters). The majority of the funds have been spent.

Tom is currently a representative on the Dept. of Transportation Study on Truck Size and Weight. Where is Wisconsin compared to other states? Permit structures are too long and Wisconsin is missing out. The results of the study will be coming out at the end of January. Many stakeholders are participating in these meetings. Any changes would be for local roads, not interstates – which are federally funded. Recommendations will be coming from the DOT Secretary.

Next Meeting: March 31, 2009 at the Dept of Commerce 201 W. Washington Ave Madison